

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DAYTON M. DENT,)
)
Plaintiff,)
)
v.) No. 4:16CV127 HEA
)
ALLIED COMPANIES, et al.,)
)
Defendants,)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on its own motion. The Court previously ordered plaintiff to file a copy of his EEOC right-to-sue letter. It warned plaintiff that if he failed to do so, it would dismiss this action without further proceedings. Plaintiff has not complied, and this action is dismissed without prejudice under 28 U.S.C. § 1915(e) and Rule 41(b) of the Federal Rules of Civil Procedure.

Plaintiff brings this action under Title VII of the Civil Rights Act of 1964 for alleged employment discrimination. “In order to initiate a claim under Title VII a party must timely file a charge of discrimination with the EEOC and receive a right-to-sue letter.” *Stuart v. General Motors Corp.*, 217 F.3d 621, 630 (8th Cir. 2000). Plaintiff submitted a right-to-sue letter from the Missouri Commission on Human Rights with his complaint, but he did not submit an EEOC letter. In response to the Court’s Order, plaintiff resubmitted his letter from the MCHR. The MCHR letter, however, does not reflect proper exhaustion of plaintiff’s federal claims. As a result, the Court will dismiss this action without prejudice to filing an amended complaint.

If plaintiff has a right-to-sue letter from the EEOC, he should file it with the Court as soon as is possible along with a proposed amended complaint. If plaintiff wishes to pursue a

lawsuit on the basis of his MCHR letter only, he may wish to file a complaint in state court instead.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED** without prejudice.

An Order of Dismissal will be filed separately.

Dated this 3rd day of March, 2016



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE